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In re Application of :  
Robert L. Diaz et al :  
Serial No.: 10/776,455 : PETITION TO MAKE SPECIAL  
Filed: February 10, 2004 :  
Attorney Docket No.: 2385.010 :  
:

This is in response to the petition filed October 19, 2005, to make the above-identified application special under the provisions of 37 CFR 1.102(c), based on the age of the applicant.

Applicant has not satisfied the provisions set forth in M.P.E.P. 708.02, IV. Therefor the petition is **DENIED**.

M.P.E.P. 708.02, IV states: *An application may be made special upon filing a petition including any evidence showing that the applicant is 65 years of age, or more, such as a birth certificate or applicant's statement.* Applicant states that he is only 64 years of age and therefore does not qualify.

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission to the general Office facsimile number, 571-273-8300.

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